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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/498,628	02/07/2000	Hiroshi Koga	35.14225	9074
5514	7590	12/22/2003		
FITZPATRICK CELLA HARPER & SCINTO 30 ROCKEFELLER PLAZA NEW YORK, NY 10112			EXAMINER EBRAHIMI DEHKORDY, SAEID	
			ART UNIT 2626	PAPER NUMBER
			DATE MAILED: 12/22/2003	

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/498,628

Applicant(s)

KOGA, HIROSHI

Examiner

Saeid Ebrahimi-dehKordy

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133).
- Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on ____.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-34 is/are pending in the application.
- 4a) Of the above claim(s) ____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) ____ is/are allowed.
- 6) ☒ Claim(s) 1-34 is/are rejected.
- 7) ☐ Claim(s) ____ is/are objected to.
- 8) ☐ Claim(s) ____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on ____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- 11) ☐ The proposed drawing correction filed on ____ is: a) ☐ approved b) ☐ disapproved by the Examiner.
- If approved, corrected drawings are required in reply to this Office action.
- 12) ☐ The oath or declaration is objected to by the Examiner.

Priority under 35 U.S.C. §§ 119 and 120

- 13) ☒ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☒ All b) ☐ Some * c) ☐ None of:
1. ☒ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. ____.
3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).
- * See the attached detailed Office action for a list of the certified copies not received.
- 14) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application).
- a) ☐ The translation of the foreign language provisional application has been received.
- 15) ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449) Paper No(s) ____.
- 4) ☐ Interview Summary (PTO-413) Paper No(s). ____.
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: .

DETAILED ACTION

Claim Rejections - 35 USC § 102

1. The following is a quotation of the appropriate paragraphs of 35 U.S.C. 102 that form the basis for the rejections under this section made in this Office action:

A person shall be entitled to a patent unless –

(e) the invention was described in (1) an application for patent, published under section 122(b), by another filed in the United States before the invention by the applicant for patent or (2) a patent granted on an application for patent by another filed in the United States before the invention by the applicant for patent, except that an international application filed under the treaty defined in section 351(a) shall have the effects for purposes of this subsection of an application filed in the United States only if the international application designated the United States and was published under Article 21(2) of such treaty in the English language.

2. Claims 1-34 rejected under 35 U.S.C. 102(e) as being anticipated by Yokoyama (U.S. patent 6,166,826)

Regarding claim 1,7,13 and 19 Yokoyama discloses: A web server for receiving print information from a plurality of clients via the internet and enabling a designated printer to execute print processing of the print information (please note column 9 lines 28-37) comprising: managing means for managing print attribute information on the occasion of executing said print processing by a plurality of printers under control (please note Fig.3 column 9 lines 28-36) communicating means for receiving said print information from said clients via the internet and controlling means for using said print attribute information managed by said managing means to cause a destination printer to execute said print processing of said print information when said print information is received from an external client via the internet (please note Figs.1 and 5 column 10 lines 55-67 and column 11 lines 1-11).

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Regarding claim 2, 8, 14 and 20 Yokoyama discloses: A web server according to claim 1, wherein said attribute information includes an attribute relating to print paper (please note Fig.3 item 37B column 9 lines 8-21).

Regarding claim 3, 9,15 and 21 Yokoyama discloses: A web server according to claim 1, wherein said attribute information includes an attribute relating to an output characteristic of said printer (please note column 9 lines 7-10).

Regarding claim 4,10, 16 and 22 Yokoyama discloses: A web server according to claim 1, further comprising judging means for judging whether the received print information is received from an external client through the internet or received from a client under control via a local area network, wherein when said judging means determines that said received print information is received from a client under control, said controlling means transmits said print information to a destination printer without modifying said print information (please note column 9 lines 38-47)

Regarding claim 5, 11,17 and 23 Yokoyama discloses: A web server according to claim 1, wherein said attribute information generated by a client under control and/or an external client is received to be held and translated into a file in accordance with each printer (please note Fig.1 column 9 lines 51-63).

Regarding claim 6, 12, 18 and 24 Yokoyama discloses: A web server according to claim 1, wherein said print information received via the internet is a file which is generated by an OS and takes a form of intermediate data (please note column 11 lines 12-23).

Regarding claim 25 Yokoyama discloses: A print server for receiving print information from a plurality of clients and enabling a designated printer to execute print processing of said print information (please note column 9 lines 22-27) comprising: managing means for managing print attribute information which is received from a first client and used for executing said print processing by said printer (please note Fig.1 column 9 lines 22-37) distributing means for distributing said print attribute information to a second client in response to a request for acquiring said print attribute information received from said second client and outputting means for receiving print information generated by a printer driver of said second client based on said transmitted print attribute information and outputting said print information to a designated printer (please note Fig.2 item 43 the printer driver column 9 lines 51-63)

Regarding claim 26 Yokoyama discloses: A control method carried out in a print server for receiving print information from a plurality of clients and enabling a designated printer to execute print processing of said print information (please note column 9 lines 22-27) comprising: a management step for managing print attribute information which is received from a first client and used for executing said print processing by said printer (please note Fig.1 items 12a and 5a, column 9 lines 28-36) a distribution step for distributing said print attribute information to a second client in response to a request for acquiring said print attribute information received from said second client; and an output step for receiving print information enerated by a printer driver of said second client based on said transmitted print attribute information and

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outputting said print information to a designated printer (please note Fig.2 item 43 the printer driver, column 9 lines 51-67 and column 10 lines 1-40).

Regarding claims 27 and 33 Yokoyama discloses: A computer-readable memory medium which stores a computer program for receiving print information from a plurality of clients and enabling a designated printer to execute print processing of said print information (please note Fig.2 item 37) said computer program comprising: a program code for managing print attribute information which is received from a first client and used for executing said print processing by a printer (please note Fig.1 items 12a and 5a , column 9 lines 28-36) a program code for distributing said print attribute information to a second client in response to a request for acquiring said print attribute information received from said second client and a program code for receiving print information generated by a printer driver of said second client based on said transmitted print attribute information and outputting said print information to a designated printer (please note Fig.2 item 43 the printer driver, column 9 lines 51-67 and column 10 lines 1-40).

Regarding claims 28 and 31 Yokoyama discloses: A print control program for receiving print information from a plurality of clients and enabling a designated printer to execute print processing of said print information (please note Fig.2 item 37) said print control program comprising: a program code for managing print attribute information which is received from a first client and used for executing said print processing by said printer (please note Fig.1 items 12a and 5a, column 9 lines 28-36) a program code for distributing said print attribute information to a second client in response to a request for

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acquiring said print attribute information received from said second client and a program code for receiving print information generated by a printer driver of said second client based on said transmitted print attribute information and outputting said print information to a designated printer (please note Fig.2 item 43 the printer driver, column 9 lines 51-67 and column 10 lines 1-40).

Regarding claim 29 Yokoyama discloses: An information processing apparatus as a client for communicating with a server for managing ion when executing print attribute information processing by a printer (please note Fig.2 item 37) comprising: issuing means for issuing a request for acquiring print attribute information to said server print attribute setting means for acquiring said print attribute information in response to said issued acquisition request and performing print setting as a print attribute of print information (please note Fig.1 items 12a and 5a, column 6 lines 13-28) and printer driver means for generating said print information based on said set print attribute (please note Fig.2 item 43 the printer driver, column 9 lines 51-67 and column 10 lines 1-40).

Regarding claims 30,32 and 34 Yokoyama discloses: An information processing apparatus according to claim 29, further comprising: inputting means for inputting print attribute information constituted by document-dependent setting information and device-dependent setting information (please note column 6 lines 13-17) and registering means for transmitting said inputted print attribute information to said server to be registered (please note column 6 lines 20-28).

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Contact Information

- Any inquiry concerning this communication or earlier communications from the examiner should be directed to *Saeid Ebrahimi-Dehkordy* whose telephone number is (703) 306-3487.

The examiner can normally be reached on Monday through Friday from 8:00 a.m. to 5:30 p.m. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kimberly Williams, can be reached at (703) 305-4863.

Any response to this action should be mailed to:

Assistant Commissioner for Patents
Washington, D.C. 20231

Or faxed to:

(703) 872-9306, or (703) 308-9052 (for **formal** communications; please mark
"EXPEDITED PROCEDURE")

Or:

(703) 306-5406 (for **informal** or **draft** communications, please label
"PROPOSED" or "DRAFT")

Hand delivered responses should be brought to Crystal Park II, 2121 Crystal Drive, Arlington, VA., Sixth Floor (Receptionist).

Any inquiry of a general nature or relating to the status of this application should be directed to the Group Receptionist whose telephone number is (703) 305-4750.

Saeid Ebrahimi-Dehkordy
Patent Examiner
Group Art Unit 2626
December 10 2003

KA Williams
KIMBERLY WILLIAMS
SUPERVISORY PATENT EXAMINER